

Exc re B/P 24755

Volume 2

STATUTES OF CALIFORNIA

1967

CONSTITUTION OF 1879 AS AMENDED

GENERAL LAWS, AMENDMENTS TO CODES,
AND RESOLUTIONS

PASSED AT

THE 1967 REGULAR SESSION OF THE LEGISLATURE
AND
THE 1967 FIRST EXTRAORDINARY SESSION
OF THE LEGISLATURE



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59—L-593

PLAINTIFF'S EXHIBIT	
CASE NO.	CV04-0360P
EXHIBIT NO.	312

TX312_001

Exc re B/P 24755

food products delivered to the buyer. This section shall also apply to any person who custom cuts any meat animal carcass or part of such carcass for the owner, except the carcass of any game mammal taken as authorized by the Fish and Game Code.

CHAPTER 1450

An act to amend Section 24755 of the Business and Professions Code, relating to the sale of alcoholic beverages.

[Approved by Governor August 25, 1967. Filed with Secretary of State August 25, 1967.]

The people of the State of California do enact as follows:

SECTION 1. Section 24755 of the Business and Professions Code is amended to read:

24755. (a) No package of distilled spirits which bears the brand, trademark or name of the owner or person in control shall be sold at retail in this state for consumption off the license premises unless a minimum retail price for such package first shall have been filed with the department in accordance with the provisions of this section.

(b) A price for each of such packages shall be in a minimum retail price schedule setting forth with respect to each package the exact brand, trademark or name, capacity, and type of package, type of distilled spirits, age and proof, where stated on the label, and the minimum selling price at retail. The price for any such package may be filed separately and differently for the trading area of southern California and the trading area of northern California. The trading area of southern California shall consist of the Counties of Santa Barbara, Ventura, Los Angeles, Orange, Riverside, San Bernardino, Imperial and San Diego. The northern California trading area shall consist of the other counties of the state. No more than one person shall file a schedule for the same package for the same trading area.

(c) Such schedule shall be filed by (1) the owner of the brand, if licensed in the state; (2) any licensee, other than a retailer, selling the brand and who is authorized in writing by the brand owner to file such schedule if the brand owner is not licensed in this state; (3) a manufacturer or rectifier licensed in this state and who bottles under the brand owned by a retailer; or (4) any licensee with the approval of the department, if the owner of the brand does not file or is unable to file a schedule or authorize a licensee other than a retailer to file such schedule.

(d) Schedules filed pursuant to this section may be amended, changed, or modified by filing such amendments, change, or modification with the department on or before the 15th day of any month to take effect on the first day of the second succeeding calendar month; except that prices filed for a

brand, size, or type not included in a schedule in effect at the time such brand, size, or type is filed, and prices filed to meet the price of a competitive brand, may be filed on or before the 15th day of any month to take effect on the first day of the following month. For the purpose of this section, a competitive brand shall mean any brand of the same type of distilled spirits having a filed selling price at retail within one dollar (\$1) per gallon of the brand for which a competitive price is filed.

The department shall reject any price schedule which does not comply with this subdivision.

(e) A price schedule or amendment, change or modification thereof as provided for by this section shall be deemed filed when received, either by personal delivery or mail, at the headquarters office of the department in Sacramento. Upon such filing, a price schedule or amendment, change or modification thereof shall become a public record. Such filing of a price schedule or amendment, change or modification thereof shall constitute constructive notice of its contents to any licensee affected thereby.

(f) No off-sale licensee shall sell any package of distilled spirits at any price less than the effective filed price of such package unless written permission is granted by the department, for good cause shown and for reasons not inconsistent with this division.

(g) No retail licensee shall sell any package of distilled spirits as a loss leader. "Loss leader," as used in this section, means a sale below cost as such cost is defined in Sections 17026 to 17029, inclusive, of this code, except that a sale below cost made under the provisions of Section 17050 of this code shall not be deemed a loss leader sale.

(h) The provisions of this section shall not apply to:

(1) A closeout sale made in good faith and approved by the department when the following conditions exist: (i) the stock of distilled spirits sought to be closed out has been in this state, either in the possession of the vendor who sold it to the retailer or in the possession of the retailer who seeks to close out the brand, for a period of not less than six months; (ii) the stock of distilled spirits to be closed out was not brought into this state for the purpose of offering it, or any part of it, at a closeout sale; (iii) at least 10 days prior to filing a request with the department for approval to sell the stock at a closeout sale, the retailer had offered to return the distilled spirits, at his original invoice cost, to both the vendors from whom he purchased them or to his successor and to the licensee who filed the minimum price schedule under the provisions of this section; (iv) such offer of return was not accepted.

At the place of any closeout sale and upon any package of distilled spirits to be so sold and in any advertisement in con-

nection therewith, public notice shall be given of the sale as a closeout sale. Following the conclusion of a closeout sale, the retailer who conducted such sale shall not sell the same brands of distilled spirits for a period of at least one year.

(2) Sales made with the approval of the department when the distilled spirits or the package is damaged or deteriorated in quality and notice of this fact is given to the public at the place of any such sale and upon the package offered for sale and in any advertisement in connection therewith.

(3) Sales made by any officer acting under the orders of any court.

(4) Sales of distilled spirits for use in the manufacture or production of food products which are unfit for beverage use as provided in Section 23112, if such distilled spirits are sold to a person who holds a permit and identification number authorizing the filing of a claim for drawback of federal distilled spirits excise taxes under the Federal Non-Beverage Drawback Regulations.

(i) A minimum retail price schedule containing a minimum retail price for each package of any brand of beer may be filed under the provisions of this chapter by the person in control of such brand and when so filed, the provisions of this chapter and any rules adopted by the department for the administration of the provisions of this chapter shall apply to the sale of packages of such brand of beer.

(j) The department shall adopt rules whereunder minimum retail prices of distilled spirits will be made available to licensees; means of making such prices available may include, but need not be limited to, publication in trade journals or industry price books of general circulation among retail licensees in this state, or in parts or trading areas of this state.

CHAPTER 1451

An act to amend Section 4534 of the Agricultural Code as proposed by Senate Bill No. 1, relating to district agricultural association fairs and other fairs.

[Approved by Governor August 25, 1967. Filed with Secretary of State August 25, 1967.]

The people of the State of California do enact as follows:

SECTION 1. Section 4534 of the Agricultural Code, as proposed by Senate Bill No. 1, is amended to read:

4534. The committee may investigate, study, and analyze any or all facts and matters relating to the operation and financing of fairs which are subject to this division and the effect and operation of the laws relating thereto.

Exc. re BP 24871.5,
BP 24872
BP 24878

Volume 1

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1968

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,
Special Election, June 4, 1968

General Laws, Amendments to the Codes, Resolutions,
and Constitutional Amendments

Passed by the California Legislature at the
1967 Second Extraordinary Session
and the
1968 Regular Session



Compiled by
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within the meaning of Article IV of the Constitution, and shall go into immediate effect. The facts constituting such necessity are:

Services of the kinds referred to in Section 1 of this act have been rendered in the alcoholic beverage industry for many years and are part of the merchandising program developed to protect the quality of beer, wine, and other alcoholic beverages offered for sale to the public. The Director of Alcoholic Beverage Control has recently determined that certain of these services may no longer be furnished. This action threatens the quality of the products offered for sale to the public, and in order to protect the quality thereof, it is necessary that this act take effect at the earliest possible time.

CHAPTER 205

An act to amend Sections 24862, 24864, 24865, 24871, 24871.5, 24872, 24873, and 24878 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor May 28, 1968. Filed with Secretary of State May 28, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 24862 of the Business and Professions Code is amended to read:

24862. No licensee shall in this state sell or resell to a retailer, and no retailer shall in this state buy any item of wine except at the selling or resale price thereof contained either in an effective price schedule or in an effective fair trade contract as authorized by Chapter 10 of this division, unless otherwise provided in this chapter.

No licensee in this state shall sell or resell to a consumer any item of wine at less than the selling or resale price thereof contained either in an effective price schedule or in an effective fair trade contract as authorized by Chapter 10 (commencing with Section 24749) of this division unless otherwise provided in this chapter.

Wine sold pursuant to a bona fide order accepted on the last business day of any month may be delivered to the purchaser, at the price in effect during said month, within two business days immediately following the last day of the month in which the sale was made.

SEC. 1.5. Section 24864 of the Business and Professions Code is amended to read:

24864. For the purpose of providing different selling or resale prices, the state may be divided into the following trading areas:

(a) Mountain trading area, which consists of the Counties of Del Norte, Siskiyou, Modoc, Shasta, Trinity, Humboldt,

Lassen, Mendocino, Tehama, Plumas, Butte, Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Mono, Inyo, and Imperial, and those portions of the Counties of Kern, San Bernardino and Riverside which lie east of the mountain divide of the Sierra Nevada, Tehachapi, and San Bernardino Mountains, commonly known as the Desert Country.

(b) Northern California trading area, which consists of all counties and portions of counties lying north of the northern boundary of San Luis Obispo County and the southern boundaries of Kern and Inyo Counties which are not included in the mountain trading area.

(c) Southern California trading area, which consists of all the counties and portions of counties lying south of the northern boundary of San Luis Obispo County and the southern boundaries of Kern and Inyo Counties which are not included in the mountain trading area.

Sec. 2. Section 24865 of the Business and Professions Code is amended to read:

24865. For the southern California and the northern California trading areas the selling and resale prices to retailers shall be specified prices, and the selling or resale prices to consumers shall be minimum prices. For the mountain trading area the selling and resale prices may be minimum prices, except that the minimum prices shall not be less than the specified prices for the northern California trading area, and except that the minimum prices provided for counties or portions of counties in the mountain trading area lying south of the northern boundary of San Luis Obispo County and the southern boundaries of Kern and Inyo Counties shall not be less than the specified prices for the southern California trading area.

Sec. 3. Section 24871 of the Business and Professions Code is amended to read:

24871. Quantity discounts to retailers shall be permitted only when actual delivery of a single order is begun and completed to the same premises within a period not to exceed 48 hours, except in the case of accident, strike, insurrection, riot, or act of God, and then delivery shall be made within 48 hours after such occurrence ends. The total quantity and prompt payment discounts, if any, to retailers shall not exceed 10 percent per case for case lots. Brands owned or controlled for the purpose of filing price schedules pursuant to this chapter by the same winegrower or wholesaler, may be combined for quantity and prompt payment discounts.

Quantity discounts to consumers shall not exceed 10 percent on quantity sales of a case or more. A case for the purpose of the preceding sentence and for Section 24871.5 shall contain 2.4 gallons or more of wine consisting of containers of the same size. A quantity sale to a consumer is a single transaction and is accomplished in a single delivery.

Prompt payment discounts to retailers shall be permitted only when the seller actually receives payment in cash or its

equivalent within the specified period after date of delivery. Postdated checks or checks returned for nonpayment shall not be deemed the equivalent of cash.

Permitted discounts shall not be taken in merchandise.

SEC. 4. Section 24871.5 of the Business and Professions Code is amended to read:

24871.5. A seller may assort and allow an authorized quantity discount to a consumer who purchases a case or more of wine of the same brand.

A seller may assort and allow a quantity discount to a consumer who purchases a case or more consisting of any brands of wine for which consumer case discounts of the same percentage are in effect. The quantity discount may not exceed the authorized consumer case discounts for such merchandise.

SEC. 5. Section 24872 of the Business and Professions Code is amended to read:

24872. Fair trade contracts and price schedules for wine available for sale for the first time shall be made and filed on or before the 15th of any month.

Adding an item to, removing an item from, or changing any charge, discount, or price in, any price schedule or fair trade contract constitutes a change in the price schedule or fair trade contract.

Monthly changes shall be filed on or before the 15th of any month.

If a change occurs in the body of a fair trade contract, a copy of the changed fair trade contract shall be filed at the same time that the changed price schedule affected thereby is filed.

Price schedules, fair trade contracts, or changes therein shall become effective on the first day of the month following the month of filing, except as otherwise provided in this chapter, and shall remain in effect for a minimum of one month and until changed in the manner provided in this chapter.

SEC. 6. Section 24873 of the Business and Professions Code is amended to read:

24873. For the purpose of complying with the General Ceiling Price Regulation, Economic Stabilization Agency, or with any other applicable federal law, ruling, rule, or regulation respecting prices, or for the purpose of increasing a price or prices when an increase in ceiling price is authorized by any such law, ruling, rule, or regulation, price schedules and fair trade contracts, or changes therein, may be filed with the department at any time and shall become effective immediately upon filing. If filed because of an authorized increase in ceiling price, the applicable price schedule and fair trade contract, or changes therein, shall be filed with the department not later than the 15th day of the month following the month in which the increase in ceiling price is first authorized.

Publication of the price schedules or changes therein shall be made as provided in Section 24875 on or before the first

day of the month following the month in which the price schedules or changes therein are filed with the department. The price schedules or changes therein shall contain the statement: "Filed to comply with federal pricing laws and regulations" or "Filed to increase prices as first authorized on (inserting the date)." Notwithstanding any other provision of this chapter, price schedules and fair trade contracts, or changes therein, made effective pursuant to this section shall remain in effect until changed pursuant to this chapter.

SEC. 7. Section 24878 of the Business and Professions Code is amended to read:

24878. Except as otherwise provided or authorized in this division, the giving of, or offering to give, any rebate, free goods, combination deal, premium, allowance, unauthorized discount, floor stocks adjustment, or any other thing or service of value, directly or indirectly, in connection with the sale of wine subject to this chapter, or, in any other way circumventing this chapter to effect a sale at a price other than the price shown in the applicable price schedule or to effect a sale to a consumer at a price less than the minimum price shown in the applicable price schedule, is a violation of this chapter.

This section does not prohibit any cooperative buying group which on January 1, 1949, held a federal basic permit or was licensed by the department from giving, or its members from receiving, dividends or other adjustments from the general fund of the cooperative buying group. This chapter does not prohibit the furnishing of samples, advertising matter, and other selling aids or rendition of any services as authorized by this division and rules issued pursuant to this division.

CHAPTER 206

An act to amend Section 24045.5 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor May 23, 1968. Filed with Secretary of State May 23, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 24045.5 of the Business and Professions Code is amended to read:

24045.5. The department in its discretion may issue a temporary retail permit to the transferee of a retail license to continue the operation of a retail premises during the period a transfer application for the license from person to person at the same premises is pending and when all the following conditions exist:

(a) The premises shall have been operated under a retail license within 30 days of the date of filing the application for a temporary permit.

Volume 1

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1970

Constitution of 1879 as Amended

Measures Submitted to Vote of Electors,
Special Election, June 2, 1970,
and General Election, November 3, 1970

General Laws, Amendments to the Codes, Resolutions,
and Constitutional Amendments

Passed by the California Legislature at the

1970 Regular Session



Compiled by
GEORGE H. MURPHY
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ment in favor. The authors may prepare and submit rebuttal arguments not exceeding 250 words. The rebuttal arguments must be filed with the county clerk not more than 10 days after the final date for filing direct arguments. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SEC. 2. Section 14985 is added to the Elections Code, to read:

14985. The commission may study, and adopt regulations governing, the use of voting machines and vote tabulating devices.

SEC. 3. Section 14986 is added to the Elections Code, to read:

14986. The commission may investigate any alleged violation of its regulations with power to subpoena all necessary persons and records.

SEC. 4. Section 14987 is added to the Elections Code, to read:

14987. A copy of each election computer program for an election in the state shall be filed with the Secretary of State at least one week before the election. Copies of any subsequent alterations in the program shall be filed in the same manner prior to the election.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

A number of important measures will be on the ballot in many counties at the November general election. In order for these provisions to be operative in time for that election, it is necessary that this statute take immediate effect.

CHAPTER 237

An act to amend Section 24756 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor June 22, 1970. Filed with Secretary of State June 22, 1970.]

The people of the State of California do enact as follows:

SECTION 1. Section 24756 of the Business and Professions Code is amended to read:

24756. Every distilled spirits manufacturer, brandy manufacturer, rectifier, and wholesaler shall file and maintain with the department a price list showing the prices at which distilled spirits are sold to retailers by the licensee. Domestic brandy shall not be assorted with other distilled spirits for quantity discounts, except that imported brandy, upon which

duty is paid, may be assorted for quantity discounts only with imported distilled spirits upon which duty is paid. Sales of distilled spirits to retailers by each distilled spirits manufacturer, brandy manufacturer, rectifier, and wholesaler shall be made in compliance with the price list of the licensee on file with the department.

CHAPTER 238

An act to amend Section 1208 of the Penal Code, relating to the Work Furlough Law.

[Approved by Governor June 22, 1970. Filed with
Secretary of State June 22, 1970.]

The people of the State of California do enact as follows:

SECTION 1. Section 1208 of the Penal Code is amended to read:

1208. (a) The provisions of this section, insofar as they relate to employment, shall be operative in any county in which the board of supervisors by ordinance finds, on the basis of employment conditions, the state of the county jail facilities, and other pertinent circumstances, that the operation of this section, insofar as it relates to employment, in that county is feasible. The provisions of this section, insofar as they relate to education, shall be operative in any county in which the board of supervisors by ordinance finds, on the basis of education conditions, the state of the county jail facilities, and other pertinent circumstances, that the operation of this section, insofar as it relates to education, in that county is feasible. In any such ordinance the board shall prescribe whether the sheriff, the probation officer, or the superintendent of a county industrial farm or industrial road camp in the county shall perform the functions of the work furlough administrator. The board of supervisors may also terminate the operativeness of this section, either with respect to employment or education in the county if it finds by ordinance that, because of changed circumstances, the operation of this section, either with respect to employment or education in that county is no longer feasible.

(b) When a person is convicted of a misdemeanor and sentenced to the county jail, or is imprisoned therein for nonpayment of a fine, for contempt, or as a condition of probation for any criminal offense, or committed under the terms of Section 6404 or 6406 of the Welfare and Institutions Code as a habit-forming drug addict, the work furlough administrator may, if he concludes that such person is a fit subject therefor, direct that such person be permitted to continue in his regular employment, if that is compatible with the requirements of subdivision (d), or may authorize the person to secure employment for himself in the county, unless the court at the time of sentencing or committing has ordered that such person not be

Exe re B/P 24871.

Volume 1

STATUTES OF CALIFORNIA

AND DIGESTS OF MEASURES

1975

Constitution of 1879 as Amended

General Laws, Amendments to the Codes, Resolutions,
and Constitutional Amendments passed by the
California Legislature

1975-76 Regular Session

1975-76 First Extraordinary Session

1975-76 Second Extraordinary Session

1975-76 Third Extraordinary Session

Compiled by

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retired for disability or in a position in the same classification or in the position with regard to which he has applied for reinstatement, his disability retirement allowance shall be canceled forthwith, and he shall become a member of the retirement system.

If the recipient was an employee of the state or of the university and is so determined to be not incapacitated for duty in the position held when retired for disability or in a position in the same class, he shall be reinstated, at his option, to such position; provided, that acceptance in such case of any other position shall immediately terminate any right to such reinstatement. Such recipient who is found to continue incapacitated for duty in his former position and class, but not incapacitated for duty in another position for which he has applied for reinstatement and who accepts employment in such other position, shall upon subsequent discontinuance of incapacity for service in his former position or a position in the same class, as determined by the board under Section 21028, be reinstated at his option to such position.

If the recipient was an employee of a contracting agency other than a local safety member, the board shall notify it that his disability has terminated and that he is eligible for reinstatement to duty. The fact that he was retired for disability does not prejudice any right to reinstatement to duty which he may claim.

SEC. 10. Section 21034 is added to the Government Code, to read:

21034. The governing body of a contracting agency may delegate any authority or duty conferred or imposed under this article to a subordinate officer subject to such conditions as it may impose.

SEC. 11. The sum of twenty thousand dollars (\$20,000) is hereby appropriated from earnings on the Legislators' Retirement Fund for reimbursement to the Public Employees' Retirement System for costs of the administration of the Legislators' Retirement System for the period of January 1, 1976 to June 30, 1976.

CHAPTER 656

An act to amend Sections 24871 and 24879 of the Business and Professions Code, relating to alcoholic beverages.

[Approved by Governor September 10, 1975. Filed with
Secretary of State September 10, 1975.]

The people of the State of California do enact as follows:

SECTION 1. Section 24871 of the Business and Professions Code is amended to read:

24871. Quantity discounts to retailers shall be permitted only when actual delivery of a single order is begun and completed to the same premises within a period not to exceed 48 hours, except in the

case of accident, strike, insurrection, riot, or act of God, and then delivery shall be made within 48 hours after such occurrence ends. The total quantity and prompt payment discounts, if any, to retailers shall not exceed 10 percent per case for case lots. Brands owned or controlled for the purpose of filing price schedules pursuant to this chapter by the same winegrower or wholesaler, may be combined for quantity and prompt payment discounts.

Quantity discounts to consumers shall not exceed 10 percent on quantity sales of a case or more. A case for the purpose of the preceding sentence and for Section 24871.5 shall contain 2.3 gallons or more of wine consisting of containers of the same size. A quantity sale to a consumer is a single transaction and is accomplished in a single delivery.

Prompt payment discounts to retailers shall be permitted only when the seller actually receives payment in cash or its equivalent within the specified period after date of delivery. Postdated checks or checks returned for nonpayment shall not be deemed the equivalent of cash.

Permitted discounts shall not be taken in merchandise.

SEC. 2. Section 24879 of the Business and Professions Code is amended to read:

24879. A retailer may return wine to the seller or to the successor of the seller and the seller or his successor may accept the return thereof, but the seller or his successor may not sell wine to the retailer for a period of one year after the date the returned wine is accepted or received unless any of the following exist:

(a) The wine is returned in exchange for the identical quantity, brand, and item of wine.

(b) It is returned pursuant to court order.

(c) The returned wine is a brand or item of wine which has been discontinued by the seller or his successor, and in such case the wine is exchanged for the identical quantity of a brand or item of similar quality.

(d) The wine delivered was other than that ordered by a retailer or was in a quantity other than that ordered. In such cases, the retailer may, within 15 days after such delivery, return such wine to the seller or his successor for exchange for the wine actually ordered, or may return the wine delivered in excess of the wine actually ordered. Returns under this subdivision may also be made after 15 days from the date of delivery upon written approval of the department.

(e) The wine has deteriorated in quality or the container thereof has been damaged, or the label or container for the wine has been changed, and the wine is returned and exchanged for the identical quantity of the same brand and type of wine and size of container. For the purpose of this subdivision, "wines of the same type" means wines which are within the same class as defined in Sections 17005 to 17050, inclusive, by the Standards of Identity and Quality, Title 17, California Administrative Code, and which bear the same rate of

state wine excise tax. Wines returned and exchanged pursuant to this subdivision shall have the same current posted price to retailers.

If wine or the container thereof is damaged or deteriorated, and the seller thereof has ceased to carry on a business licensed under this division and there is no successor to such business, such wine may be returned by a retailer to a winegrower or wholesaler who handles the same brand or item of wine, upon the same terms and conditions provided in this section for return of wine to a seller or his successor, after receiving approval from the department.

The approval of the department shall only be required for returns made after 15 days from date of delivery under the provisions of subdivision (d) of this section, or returns made under the provisions of the immediately preceding paragraph of this section.

(f) As used in subdivisions (a), (c), and (e), the term "identical quantity" includes wine in metric measure containers and wine in United States standard measure containers which contain substantially the same amount of wine.

CHAPTER 657

An act to amend Sections 204c, 204d, and 205 of, and to add Section 204e to, the Code of Civil Procedure, relating to jury selection, and making an appropriation therefor.

[Approved by Governor September 10, 1975. Filed with
Secretary of State September 10, 1975.]

The people of the State of California do enact as follows:

SECTION 1. Section 204c of the Code of Civil Procedure is amended to read:

204c. The jury commissioner shall diligently inquire and inform himself in respect to the qualifications of persons on the roll of eligible juror candidates, as defined in Section 204e, who may be summoned for trial jury duty. He may require any person to answer, under oath to be administered by him, all such questions as he may address to such person, touching his name, age, residence, occupation and qualifications as a trial juror, and also all questions as to similar matters concerning other persons of whose qualifications for trial jury duty he has knowledge. The commissioner and his assistants, referred to in Sections 69895 and 69896 of the Government Code, shall have power to administer oaths and shall be allowed actual traveling expenses incurred in the performance of their duties. Such traveling expenses shall be audited, allowed, and paid out of the general fund of the county.

SEC. 2. Section 204d of the Code of Civil Procedure is amended to read:

204d. Pursuant to the rules adopted by a majority of the judges